

Pt. 546

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U.S.C. 1601–1651, 1701–1706; 22 U.S.C. 287c; Pub.
L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note);
Pub. L. 110–96, 121 Stat. 1011; E.O. 13067, 62 FR
59989, 3 CFR, 1997 Comp., p. 230; E.O. 13400, 71
FR 25483, 3 CFR, 2006 Comp., p. 220.

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otherwise noted.

**Subpart A—Relation of This Part to
Other Laws and Regulations**

**§ 546.101 Relation of this part to other
laws and regulations.**

This part is separate from, and inde-
pendent of, the other parts of this
chapter, with the exception of part 501
of this chapter, the recordkeeping and
reporting requirements and license ap-
plication and other procedures of which
apply to this part. Actions taken pur-
suant to part 501 of this chapter with
respect to the prohibitions contained
in this part are considered actions
taken pursuant to this part. Differing
foreign policy and national security
circumstances may result in differing
interpretations of similar language
among the parts of this chapter. No li-
cense or authorization contained in or
issued pursuant to those other parts
authorizes any transaction prohibited

by this part. No license or authorization contained in or issued pursuant to any other provision of law or regulation authorizes any transaction prohibited by this part. No license or authorization contained in or issued pursuant to this part relieves the involved parties from complying with any other applicable laws or regulations.

Subpart B—Prohibitions

§ 546.201 Prohibited transactions involving blocked property.

(a) Except as authorized by regulations, orders, directives, rulings, instructions, licenses, or otherwise, and notwithstanding any contracts entered into or any license or permit granted prior to the effective date, all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of U.S. persons, including their overseas branches, of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

(1) Any person listed in the Annex to Executive Order 13400 of April 26, 2006; and

(2) Any person determined by the Secretary of the Treasury, after consultation with the Secretary of State:

(i) To have constituted a threat to the peace process in Darfur;

(ii) To have constituted a threat to stability in Darfur and the region;

(iii) To be responsible for conduct related to the conflict in Darfur that violates international law;

(iv) To be responsible for heinous conduct with respect to human life or limb related to the conflict in Darfur;

(v) To have directly or indirectly supplied, sold, or transferred arms or any related materiel, or any assistance, advice, or training related to military activities to:

(A) The Government of Sudan;

(B) The Sudan Liberation Movement/Army;

(C) The Justice and Equality Movement;

(D) The Janjaweed; or

(E) Any person (other than a person listed in paragraph (a)(2)(v)(A) through (a)(2)(v)(D) of this section) operating in

the states of North Darfur, South Darfur, or West Darfur that is a belligerent, a nongovernmental entity, or an individual;

(vi) To be responsible for offensive military overflights in and over the Darfur region;

(vii) To have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the activities described in paragraphs (a)(2)(i) through (a)(2)(vi) of this section or any person whose property and interests in property are blocked pursuant to this paragraph (a); or

(viii) To be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this paragraph (a).

NOTE 1 TO PARAGRAPH (a) of § 546.201: The names of persons listed in or designated pursuant to Executive Order 13400, whose property and interests in property are blocked pursuant to paragraph (a) of this section, are published on the Office of Foreign Assets Control's Specially Designated Nationals and Blocked Persons List ("SDN List") (which is accessible via the Office of Foreign Assets Control's Web site), published in the FEDERAL REGISTER, and incorporated into Appendix A to this chapter with the identifier "[DARFUR]." See § 546.411 concerning entities that may not be listed on the SDN list but whose property and interests in property are nevertheless blocked pursuant to paragraph (a) of this section.

NOTE 2 TO PARAGRAPH (a) of § 546.201: Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1701-1706) ("IEEPA") explicitly authorizes the blocking of property and interests in property of a person during the pendency of an investigation. The names of persons whose property and interests in property are blocked pending investigation pursuant to this part also are published on the SDN List, published in the FEDERAL REGISTER, and incorporated into Appendix A to this chapter with the identifier "[BFI-DARFUR]."

NOTE 3 TO PARAGRAPH (a) of § 546.201: Sections 501.806 and 501.807 of this chapter V describe the procedures to be followed by persons seeking, respectively, the unblocking of funds that they believe were blocked due to mistaken identity, or administrative reconsideration of their status as persons whose property and interests in property are blocked pursuant to paragraph (a) of this section.